

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Amendment to Sections 74.1203(a)(3) and	)	RM-11786
74.1204(f) of the Commission's Rules	)	
Aztec Capital Partners, Inc PRM Re-	)	
balancing FM Translator Interference	)	
Rules	)	

**COMMENTS OF MENTOR PARTNERS, INC.**

**I. INTRODUCTION AND STATEMENT OF INTEREST**

Mentor Partners, Inc. (Mentor) hereby submits comments in response to the Federal Communications Commission's (Commission) Public Notice<sup>1</sup> of the Petition for Rulemaking filed by Aztec Capital Partners, Inc. (Petitioner), which requests changes to Sections 74.1203(a)(3) and 74.1204(f) of the FM translator rules to protect local radio service provided by fill-in area FM translators.<sup>2</sup>

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<sup>1</sup> Amendment of Sections 74.1203(a)(3) and 74.1204(f) of the Commission's Rules to Protect Local Radio Service Provided by Fill-In Area FM Translators, Public Notice, RM-11786, Report No. 3074 (Apr. 18, 2017).

<sup>2</sup> Aztec Capital Partners, Inc. Petition for Rulemaking (Apr. 7, 2017).

Mentor is a family-owned operator of several FM and AM licenses in the Big Rapids, Michigan area, and is impacted by the Commission's FM translator rules. Through a focused approach to community engagement as well as local news and sports coverage, Mentor provides an important public service to the its community of license and the surrounding area.

## **II. MENTOR SUPPORTS THE PETITION'S REQUESTED RULE CHANGES, WHICH WILL PROTECT LOCAL RADIO LISTENERS IN A STATION'S COMMUNITY OF LICENSE AND SERVICE AREA AGAINST UNREASONABLE LOSS OF SERVICE**

Mentor agrees that the Commission's FM translator rules are in need of modification to protect local listeners within a station's community of license. Mentor depends on its fill-in FM translators to provide its listeners with the access the news, sports, music, and other content they rely on. We agree with Petitioner that, in their current state, the FM translator rules provide an avenue for abusive interference that is increasingly being realized.<sup>3</sup>

In addition to Petitioners, other broadcast licensees have provided detailed descriptions of their experiences of abuse of their FM translators by other broadcasters gaming the Commission's rules, and the related impact on the community of license.<sup>4</sup> To date, Mentor has been fortunate to have not been the target of this abusive behavior, but is gravely concerned with

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<sup>3</sup> See Petition at 5-6.

<sup>4</sup> See, e.g., Comments of Kyle Magrill, President, CircuitWerkes, Inc., RM-11786 (filed May 15, 2017).

the potential of facing similar circumstances, and the related loss of service that would deprive its listeners from timely access to needed information they rely on Mentor for.

Mentor supports the new posture of the Commission with respect to focusing its actions on demonstrated harms, rather than hypotheticals. Petitioner, and others on this docket, have provided not only a sufficient explanation of the existing issues resting in the text of Sections 74.1203(a)(3) and 74.1204(f) of the FM translator rules, but have also provided real-life examples of these issues being exploited to the detriment of legitimate broadcast licensees who strive to serve their communities. Opposing parties on the record fail to explain a public interest rationale as to why the legitimate rationale and proposals put forward by Petitioner do not merit further detailed consideration by the Commission through a Notice of Proposed Rulemaking, which will include multiple rounds of public comment. Mentor therefore believes that the Commission has before it an evidence base and rationale justifying taking action consistent with Petitioner's request.

### **III. CONCLUSION**

Mentor appreciates the Commission's seeking of public input on the Petition. Based on the above, Mentor supports Aztec's requested changes to Sections 74.1203(a)(3) and 74.1204(f).

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/s/

Jeffrey Scarpelli  
President

**MENTOR PARTNERS, INC.**

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